

**MINUTES OF REGULAR MEETING
ILLINOIS GAMING BOARD
October 16, 2001
CHICAGO, ILLINOIS**

NOTE: ITEMS IN **BOLDFACE PRINT** REFLECT OFFICIAL BOARD ACTIONS

The Illinois Gaming Board (“Board”) held its Regular Meeting on October 16, 2001, in the Auditorium on the 5th floor of the State of Illinois Building, Chicago, Illinois, pursuant to the Illinois Open Meetings Act, 5 ILCS 120/1 et seq.

The following Board Members were present: Chairman Gregory Jones and Members Ira Rogal, Elzie Higginbottom and Robert Mariano.

Also in attendance were: Interim Administrator Thomas Swoik, Deputy Administrators Joseph Haughey, Allan McDonald, James Wagner, and Deputy Chief Legal Counsel Jeannette Tamayo, as well as other members of the staff.

Chairman Jones convened the October 16, 2001 Regular Meeting at 9:45 A.M. in the 3rd floor Board Conference Room. Member Mariano moved **that the Board retire to Closed Session pursuant to Section 2(c), paragraphs (1), (11), (14), and (21) of the Open Meetings Act, and Section 6(d) of the Riverboat Gambling Act to discuss the following subject matters:**

- 1. Pending litigation and matters involving probable litigation;**
- 2. Investigations concerning applicants and licensees;**
- 3. Personnel matters; and**
- 4. Closed session minutes.**

Member Higginbottom seconded the motion. The Board adopted the motion by unanimous consent, and retired to closed session.

The Board convened its Open Session at 2:25 P.M.

CHAIRMAN'S REPORT

Chairman Jones stated that it did not seem appropriate on the September 14th meeting in light of the tragic events that took place on September 11th to bid farewell to Sergio Acosta, former Administrator of the Illinois Gaming Board. Chairman Jones stated that Mr. Acosta served as Administrator for the Board from July of 1999 to September 14th 2001. Chairman Jones stated that during that time, Mr. Acosta served the people of Illinois and the Board with great ability and distinction. Chairman Jones stated that Mr. Acosta's hard work, thoroughness, fairness, and dedication helped raise the standard of casino regulation in Illinois. Chairman Jones stated that Mr. Acosta performed his duties even handedly by balancing the needs of the Gaming Board's licensees, the interest of the state, and the public at large. Chairman Jones stated that he is sure his fellow Board members will join him in wishing Mr. Acosta well as he returns to the United States Attorneys Office for the Northern District of Illinois, which is where he originated from. Chairman Jones stated that the Board would certainly miss Mr. Acosta.

Chairman Jones stated that former Board member Stuart Levine would also be greatly missed. Chairman Jones stated that Mr. Levine informed the Governor that he was stepping down because he could no longer serve on the Board while simultaneously serving on the Illinois Health Facilities Board and numerous other Boards in a public service capacity. Chairman Jones stated Mr. Levine felt that he could not perform the kind of time commitment that was necessary for the Board. Chairman Jones stated that the Board appreciated the kind of service that Mr. Levine has rendered to the Board over approximately 2 ½ years. Chairman Jones commended Mr. Levine for his hard work, dedication, and willingness to spend the many hours that it took to be on the Board for the last two years. Chairman Jones commended Mr. Levine for the service that he rendered to the state and to his fellow Gaming Board members.

Chairman Jones stated that staff is continuing to work on the Self-Exclusion Policy. Chairman Jones stated that in August, several staff members traveled to Missouri to meet with their colleagues there to discuss how Missouri operates its Self-Exclusion program. Chairman Jones stated that staff is hopeful to get the program up and running as soon as all of the mechanics can be worked out. Chairman Jones stated that on Monday, staff also met with the Illinois Department of Human Services to further explore how both agencies could work together on this issue.

NEW BUSINESS ITEMS

PAI GOW POKER – Member Higginbottom moved that **the new game, Pai Gow Poker, be placed on the public agenda for deliberation and discussion.** Member Higginbottom further moved that, **the Agenda for open session for today's meeting be amended to include the new game, Pai Gow Poker, under Board Policy Items.** Member Mariano seconded the motion. The Board approved the motion unanimously by voice vote.

LEGISLATIVE PROPOSALS – Member Mariano moved **that the legislative proposals be placed on the public agenda for deliberation and discussion.** Member Mariano further moved that, **the Agenda for open session for today's meeting be amended to include legislative proposals under Board Policy Items.** Member Higginbottom seconded the motion. The Board approved the motion unanimously by voice vote.

Administrator's Report

Interim Administrator, Thomas Swoik, publicly thanked all staff for their support during the last month. Mr. Swoik stated that there are many times staff is asked for clarification about policies, Board rules, or the act. Mr. Swoik stated that staff has implemented a new procedure in sending out Policy Interpretations and Action Transmittals. Mr. Swoik stated that the first one would be coming out within the next week, and relates to which supplies must be purchased through a licensed supplier. Mr. Swoik stated that the information would also be available on the Gaming Board's website.

Board Policy Items

Rule 3000.180 - Weapons on Riverboat – Deputy Chief Legal Counsel, Jeannette Tamayo stated that staff is undertaking a review of all of the Board rules and as staff goes through them on a monthly basis, they would be bringing additional rules for consideration. Ms. Tamayo stated that staff recognized that the Gaming Board's Weapon on Riverboats Rule currently states that security personnel licensed by the Board may carry weapons. Ms. Tamayo stated that the Board has not licensed such individuals to carry weapons. Ms. Tamayo stated that this portion of the rule has never been used in the past, and in clarifying the rule staff thought it would be appropriate to eliminate that language. Ms. Tamayo requested permission from the Board to post the revised rule as a draft rule and obtain public comment before it is presented before the Board again and determine if it should be formally filed through the state's formal rule-making process. Ms. Tamayo stated that it would be posted on the website and notices would go out to the owner licensees.

Chairman Jones asked if there was any particular reason for the request at this time. Ms. Tamayo stated that in reviewing who is authorized on the riverboat to carry weapons, staff determined that currently all of the individuals who are appropriately authorized are law enforcement individuals or a security service. Ms. Tamayo stated that private individuals and private security guards are not authorized to carry weapons and staff does not anticipate authorizing them to do so. Ms. Tamayo stated that the revised rule would make it clear as to who should have a weapon on the riverboat.

Member Rogal moved that **the Board direct staff to circulate, upon the Administrator's approval, a Draft Rule for public comment prior to seeking the Board's Approval for filing the rule for First Notice with the Secretary of State.** Member Mariano seconded the motion. The Board approved the motion unanimously by voice vote.

New Game Request – Pai Gow Poker – Interim Administrator, Thomas Swoik, stated that staff has had a request to add Pai Gow Poker to their approved games list. Craig Travers, Casino Queen’s General Manager, presented the Board with a brief overview of the game.

Pursuant to Board Rule 3000.605, Member Higginbottom moved that **the Board authorize the game “Pai Gow Poker” as an approved game. I further move that the Board direct the Administrator to include this game and the definition of this game on the list of Board – approved games and that this game not become authorized for play at any casino until approved by the Administrator for each owner licensee requesting authorization to offer this game.** Member Mariano seconded the motion. The Board approved the motion unanimously by voice vote.

Legislative Proposals – Ms. Tamayo stated that staff is proposing to submit to the Governor’s office for consideration, the same legislative proposals that have been submitted for the past two years. Ms. Tamayo gave the Board a brief overview of what the legislative proposals would deal with. Ms. Tamayo stated that the proposals entail provisions that would strengthen the Board’s ownership provisions, ensure that the application requirements apply to both applications and the transfers of ownership, eliminate the current authority for a person under the age of 21 to be in the non-gaming area of the riverboat, safety issues, supplier licensing fee, and provisions that deal with gaming equipment and supplies.

Public Commentary

Chris Schwartz, Researcher, Service Employees International Union Local 1(SEIU), was present to discuss the issue of the proposed Emerald Casino in Rosemont. Mr. Schwartz stated that SEIU’s interest in the issue began several years ago when they first organized Bomark, a cleaning company. Mr. Schwartz stated that once SEIU began to investigate Bomark they discovered that there was a network of personal and business connections that penetrate virtually every corner of the village of Rosemont, which in short, was the same patterns that the Board found in its investigations of Emerald. Mr. Schwartz stated that the patterns extend far beyond any one issue and raises serious questions about whether a casino could ever operate in Rosemont free from controversy. Mr. Schwartz gave the Board a brief overview on what SEIU has learned about Rosemont. Mr. Schwartz stated SEIU was pleased with the Board’s ruling on Emerald in January. Mr. Schwartz stated that SEIU is pleased to see that the new members of the Board have continued to scrutinize the situation. Mr. Schwartz stated that SEIU hope that the members of the Board continue to apply this same high level of scrutiny as the issue of the Rosemont Casino nears its resolution. Mr. Schwartz provided the Board and the public with a website address to keep everyone apprised of the wide range of issues within the village of Rosemont.

Robyn Block was present to ask the Board for its help in finding more ways for compulsive gamblers to seek help. Ms. Block shared her experiences as a wife to a compulsive gambler. Ms. Block stated that help is very difficult to find in the southern part of Illinois. Ms. Block stated that her husband has called hotlines before, but they weren't much help in referring him to a place where he could get help because there really aren't any places for him to go in that area. Ms. Block stated that her husband was hospitalized for compulsive gambling twice, and that during the first hospital visit, there wasn't any specific gambling addiction treatments available at that hospital. Ms. Block stated that she has had to fight with insurance companies that will not recognize addictive gambling as a diagnosis. Ms. Block stated that she's aware of the statistics on the number of compulsive gamblers, however, she challenges those statistics because a gambling addiction is a secret that most people don't talk about enough for anyone to gather statistics. Ms. Block stated that her husband had himself banned from every boat in the state of Illinois, however, a month later they received a letter from the casino in Joliet asking if Mr. Block would like to be banned from their boat as well. Ms. Block stated that she was confused by that letter and that she was under the impression that once you asked to be banned from the boats, that includes all the Illinois riverboats. Ms. Block requested that the Board really look into these problems. Ms. Block suggested that the Board talk to some people who have first hand knowledge on what a gambling addiction does to a family. Ms. Block urged the Board to find some type of financial help for treatment.

Susan Gouinlock, Executive Director, Illinois Casino Gaming Association - Ms. Gouinlock was present to talk about compulsive gamblers and what the ICGA is doing about it. Ms. Gouinlock stated that according to a 1997 Harvard analysis, about 1 percent of the U.S. adult population has a problem with gambling. Ms. Gouinlock stated that ICGA is committed to helping those 1 percent. Ms. Gouinlock stated that on a national level, the casino industry has spent about \$7million dollars over the last several years to fund independent research on gambling disorders. Ms. Gouinlock stated that casinos are not the cause of pathological gambling, but they are one of the places where the "rubber hits the road" with regard to the problem of compulsive gambling in Illinois. Ms. Gouinlock stated that recognizing that fact, ICGA has developed prevention and education programs targeted at casino customers and their families. Ms. Gouinlock stated that the Illinois casinos introduce their employees to the issue of problem gambling during their orientation. Ms. Gouinlock stated that during orientation, employees learn the signs and symptoms of pathological gambling and how a problem gambler could find help. Ms. Gouinlock stated that she was encouraged by the previous public speaker, Ms. Block, because at least her husband was made aware of the Self-Exclusion programs that the casinos have in place. Ms. Gouinlock stated that formal training of all employees is reinforced on an annual basis, and in addition posters in public and employee only areas warn of the dangers of pathological and youth gambling. Ms. Gouinlock stated that for years Illinois casinos have been offering patrons self-exclusion programs to help problem gamblers who acknowledge that they have a problem keep themselves out of the casinos. Ms Gouinlock stated that ICGA does not think that they could keep a compulsive gambler off of the riverboat, however, they do think that they can do a very important role in making sure that they underscore the compulsive gambler's acknowledgement that he has a problem. Ms. Gouinlock stated that admitting that you have

a problem is a big start towards recovery. Ms. Gouinlock stated that if a patron does not want to exclude himself but acknowledges that he has a problem, each of the casinos has programs in place to prevent that patron from obtaining credit in the casino and from cashing a check, and should not be receiving marketing materials. Ms. Gouinlock stated that ICGA sponsors 24-hour a day, 7 day a week help line and referral service, which is administrated by Bensinger Dupont & Associates who are experts in this field. Ms. Gouinlock stated that the casinos publish the help-line number on their billboards, direct mail to patrons, their print advertising, and they play it on their telephone on hold messages. Ms. Gouinlock stated that in an effort to increase the availability of treatment for problem gambling, Illinois casinos paid to train 810 private mental health counselors in 1999 and in 2000. Ms. Gouinlock stated that ICGA created a task force, The Illinois Coalition to Curve Problem Gambling, last summer to bring together the knowledge and resources of people and organizations of varied perspectives who are all actively addressing problem gambling in Illinois today. Ms. Gouinlock stated that problem gambling needs to be addressed, and that help needs to be available to people who need it. Ms. Gouinlock stated that there are plenty of other healthy patrons out there for the casinos to be successful. Mr. Peter Bensinger, Bensinger Dupont & Associates, was present to brief the Board on the specifics of the help-line service. Mr. Bensinger provided the Board with a chart that provided the total number of calls to the hotline broken down by the time and the location of the calls. The chart also highlighted the percentage breakdown of the caller referral source, primary gambling reference, age of callers, gender of callers, and the satisfaction of the callers regarding the hotline.

Owner Licensee Items

CASINO ROCK ISLAND – PROPOSED INCREASE OF EXISTING CREDIT FACILITY
- Ron Wicks, President of Casino Rock Island, was present to request initial consideration of increasing Casino Rock Island's line of credit with Bank One. Mr. Wicks stated that they would like to increase it from \$1.5 million to \$3 million, and that the terms and conditions of the agreement would remain the same.

HARRAH'S CASINO, METROPOLIS – REQUEST TO REMOVE PLAYERS II RIVERBOAT FROM OPERATION – Mike Crider, General Manager of Harrah's Metropolis, was present to request permission to remove the Players II vessel, which is no longer in service in Metropolis, out of the operation.

Chairman Jones asked if the vessel has been replaced with another vessel, which is now functioning. Mr. Crider stated that Harrah's has a larger Coast Guard certified vessel that was placed in service on September 13th. Mr. Crider stated that Harrah's has removed all gaming equipment, slot equipment, and coins from the Player's vessel. Chairman Jones asked how things were going since the move. Mr. Crider stated that business has gone up about 20% and that he is very pleased with the results so far.

HARRAH'S CASINO, JOLIET – JASON STUMP, TECHNICAL SYSTEMS MANAGER – LEVEL ONE - Karen Wosnack was present on behalf of Jason Stump to request approval as a Level One.

Based on a review of the staff's investigation and recommendation, Member Higginbottom moved **that the Board approve Jason Stump as a Level 1 Occupational Licensee of Des Plaines Development Limited Partnership d/b/a Harrah's Casino Cruises Joliet.** Member Rogal seconded the motion. The Board approved the motion unanimously by voice vote.

HARRAH'S CASINO, JOLIET – CRAIG R. LOVE, GUEST SAFETY MANAGER – LEVEL ONE – Karen Wosnack was present on behalf of Craig R. Love to request approval as a Level One.

Based on a review of the staff's investigation and recommendation, Member Mariano moved **that the Board approve Craig R. Love as a Level 1 Occupational Licensee of Des Plaines Development Limited Partnership d/b/a Harrah's Casino Cruises Joliet.** Member Rogal seconded the motion. The Board approved the motion unanimously by voice vote.

HARRAH'S CASINO, METROPOLIS – WILLIAM T. SMITH, DIRECTOR OF MANAGEMENT INFORMATION SYSTEMS – LEVEL ONE – Karen Wosnack was present on behalf of William T. Smith to request approval as a Level One.

Based on a review of the staff's investigation and recommendation, Member Higginbottom moved **that the Board approve William T. Smith as a Level 1 Occupational Licensee of Des Plaines Development Limited Partnership d/b/a Harrah's Casino Metropolis.** Member Mariano seconded the motion. The Board approved the motion unanimously by voice vote.

ALTON BELLE CASINO – CRAIG D. ROBINSON, EXECUTIVE DIRECTOR OF INTERNAL AUDIT – KEY PERSON – Craig Robinson was present on behalf of himself to request approval as a Key Person.

Based on a review of the staff's investigation and recommendation, Member Mariano moved **that the Board certify and approve Craig D. Robinson as a Key Person of Alton Gaming Company.** Member Higginbottom seconded the motion. The Board approved the motion unanimously by voice vote.

Occupational Licensees

Based on the staff's investigation and recommendation, Member Mariano moved that **the Board approve 402 applications for an Occupational License Level 2 and 902 applications for an Occupational License Level 3.**

Member Mariano further moved that, **the Board direct the Administrator to issue Notices of Denial to the following three applicants for Level 2 and Level 3 licenses, each of whom previously received notice that staff intended to recommend denial and either did not respond or provide additional information to rebut that recommendation:**

- 1. Lun Charm Ng**
- 2. Clay Holland**
- 3. Trina Slavings**

Member Higginbottom seconded the motion. The Board approved the motion unanimously by voice vote.

Disciplinary Complaints

CARLOS BERRIOS, SUPPORT PERSONNEL – Based on the staff's investigation and recommendation, Member Higginbottom moved that **the Board issue a Disciplinary Complaint against Carlos Berrios, a Level 3 Occupational Licensee, for failing to comply with the Act and Board Rules in relation to his failure to update and disclose an arrest based on a warrant for Violation of an Order of Protection.**

Member Higginbottom further moved that, **the Board revoke Mr. Berrios' Occupational License. Said action to take affect twenty-one (21) days from the date of service of this complaint unless the licensee files an Answer within that time period.** Member Mariano seconded the motion. The Board approved the motion unanimously by voice vote.

MARY A. WYCHE, GIFT SHOP EMPLOYEE – Based on the staff's investigation and recommendation, Member Rogal moved that **the Board issue a Disciplinary Complaint against Mary A. Wyche, a Level 3 Occupational Licensee, for failing to comply with the Act and Board Rules in relation to her forgery of a player's complimentary form to purchase merchandise from the gift shop and her theft of fourteen (14) packs of cigarettes from the gift shop.**

Member Rogal further moved that the **Board revoke Ms. Wyche's Occupational License. Said action to take affect twenty-one (21) days from the date of service of this complaint unless the licensee files an Answer within that time period.** Member Higginbottom seconded the motion. The Board approved the motion unanimously by voice vote.

IN RE THE DISCIPLINARY COMPLAINT OF ELGIN RIVERBOAT d/b/a GRAND VICTORIA CASINO, PETE DOMINGUEZ, SCOTT ENSLIN AND EDWARD CISOWSKI – For the reasons stated by staff, Member Mariano moved that **the Board issue a Disciplinary Complaint against Elgin Riverboat Resort d/b/a Grand Victoria Casino, Pete Dominguez, Scott Enslin and Edward Cisowski for violations of the Illinois Riverboat Gambling Act and the Illinois Gaming Board Adopted Rules including, but not limited to, their failure to conduct appropriate and reasonable due diligence in determining the suitability of associations with other entities and individuals, to review and ensure compliance with Grand Victoria Casino's System of Internal Controls, to prevent the destruction of records, and for other certain security lapses.**

Member Mariano further moved that, **the Board impose a fine of \$7.2 million on Grand Victoria Casino, suspend Pete Dominguez for a period of 180 days and fine him personally \$5,000 for each violation, suspend Scott Enslin for a period of 30 days, and revoke the Occupational License Level One of Edward Cisowski and fine him personally \$5,000 for each violation, said fines not to be paid directly or indirectly by the Owner Licensee, and said actions to take effect twenty-one days from the date of service of the complaint unless the licensees fail to file an Answer within that time.** Member Higginbottom seconded the motion. The Board approved the motion unanimously by voice vote.

Administrative Hearings/ALJ Reports

IN RE THE DISCIPLINARY ACTION OF CASINO ROCK ISLAND - Based on the joint presentation by counsel and staff's recommendation, Member Higginbottom moved that **the Board accept the proposed settlement agreement and delegate to the Administrator the authority to execute such agreement. Further, I move that the Board authorize legal counsel to present the proposed settlement agreement to Administrative Law Judge Vickie A. Gillio for disposition of this matter in accordance with the terms of the settlement agreement.** Member Rogal seconded the motion. The Board approved the motion unanimously by voice vote.

At 3:50 Member Mariano moved to adjourn. Member Higginbottom seconded the motion. The Board approved the motion unanimously by voice vote.

Respectfully submitted,

Monica Thomas
Secretary to the Board